

THE DOCKET

JUN 11 2001

WILLIAM T. WALSH, CLERK

By \_\_\_\_\_  
(Deputy Clerk)UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEYRECEIVED  
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2001 JUN -7 A 11:53

PHILLIP ENGERS, et al., : CIVIL ACTION NO. 98-3660  
 Plaintiffs, : HON. NICHOLAS H. POLITAN  
 v. : ORDER  
 AT&T CORP., et al., :  
 Defendants. :

FILED

JUN 7 2001

AT 8:30  
WILLIAM T. WALSH  
CLERK

**THIS MATTER** having come before the Court on the motion of the named plaintiffs, Philip C. Engers, Warren J McFall, Donald G. Noerr, and Gerald Smit to certify this matter as a class action; and the Court having considered the moving papers of the parties; and the Court having heard oral argument on January 23, 2001; and for the reasons set forth in the accompanying Letter Opinion; and for good cause shown,

IT IS on this *16th* day of June, 2001,

**ORDERED** that the Ninth Claim for Relief in the plaintiffs' Second Amended Class Action Complaint be and hereby is **DISMISSED**; and it is further

**ORDERED** that the plaintiffs shall submit, within thirty (30) days of the date of this Order, evidence which would tend to counter the defendants' contention that none of the named